

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 19-13351
Eric C. Colgan	:	Chapter 13
Phyllis J Troxell-Colgan	:	Judge Ashely M. Chan
	:	*****
		Debtor(s)
	:	
MidFirst Bank	:	Date and Time of Hearing
		Movant,
	:	Place of Hearing
vs	:	March 6, 2024 at 11:00 a.m.
	:	
Eric C. Colgan	:	U.S. Bankruptcy Court
Phyllis J Troxell-Colgan	:	900 Market Street, Suite 400, Courtroom #4
Scott F. Waterman	:	Philadelphia, PA, 19107
	:	
		Respondents.

**ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY ON
FIRST MORTGAGE FOR REAL PROPERTY LOCATED AT 615 W GARDNER AVE,
GLENOLDEN, PA 19036**

This matter came before the Court on the Motion for Relief from Stay (the "Motion") filed by MidFirst Bank ("Creditor") regarding the real property located at 615 W Gardner Ave, Glenolden, PA 19036.

Creditor has alleged that good cause for granting the Motion exists, and that Debtor, counsel for the Debtor, the Chapter 13 Trustee, and all other necessary parties were served with the Motion, and with notice of the hearing date on the Motion. No party filed a response or otherwise appeared in opposition to the Motion, or all responses have been withdrawn. For these reasons, it is appropriate to grant the relief requested.

IT IS, THEREFORE, ORDERED that the Motion is granted. The automatic stay imposed by § 362 of the Bankruptcy Code is terminated with respect to the Creditor, its successors, and assigns and that the fourteen (14) day stay of the order imposed by Bankruptcy Rule 4001(a)(3) is waived.

Creditor is hereby permitted to take any and all actions necessary to accelerate the balance due on the Note, to foreclose the mortgage in accordance with state law, to apply the net proceeds to the obligation, and to otherwise exercise its contractual and state law rights as to the Property.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Creditor on its claim under the Chapter 13 Plan filed by the Debtor(s). Should Creditor seek to file any unsecured deficiency claim, Creditor shall do so no later than 90 days after this Order is entered. If the Property has not been sold, the deficiency claim is to be estimated.

Date: _____

Judge Ashely M. Chan
United States Bankruptcy Judge

SUBMITTED BY:

/s/Alyk L. Oflazian
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The case attorney for this file is Alyk L. Oflazian.
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CC:

Alyk L. Oflazian, Attorney for Creditor, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028 (notified by ecf)

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov (notified by ecf)

SCOTT F. WATERMAN [Chapter 13], Chapter 13 Trustee, 2901 St. Lawrence Ave., Suite 100, Reading, PA 19606, ECFMail@ReadingCh13.com (notified by ecf)

MICHAEL A. CIBIK, Attorney for Debtor, Cibik Law, P.C., 1500 Walnut Street, Suite 900, Philadelphia, PA 19102, mail@cibiklaw.com (notified by ecf)

ERIK B. JENSEN, Attorney for Debtor, Jensen Bagnato, PC, 1500 Walnut St., Suite 1510, Philadelphia, PA 19102, erik@jensenbagnatolaw.com (notified by ecf)

Eric C. Colgan and Phyllis J Troxell-Colgan, Debtor, 615 W Gardner Avenue, Glenolden, PA 19036 (notified by regular US Mail)